

House Study Bill 729

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL
BY CHAIRPERSON DIX)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations from the healthy
2 Iowans tobacco trust and the tobacco settlement trust fund and
3 providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 7051YC 80
6 pf/pj/5

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1 1 Section 1. HEALTHY IOWANS TOBACCO TRUST == APPROPRIATIONS
1 2 TO DEPARTMENTS. There is appropriated from the healthy Iowans
1 3 tobacco trust created in section 12.65 to the following
1 4 departments for the fiscal year beginning July 1, 2004, and
1 5 ending June 30, 2005, the following amounts, or so much
1 6 thereof as is necessary, to be used for the purposes
1 7 designated:
1 8 1. To the department of human services:
1 9 a. Unless otherwise provided, to maintain the
1 10 reimbursement rate for all noninstitutional medical assistance
1 11 providers, with the exception of anesthesia and dental
1 12 services, at the rate provided under the federal Medicare
1 13 program for such providers during the fiscal year beginning
1 14 July 1, 2000, and ending June 30, 2001, as specified in 2000
1 15 Iowa Acts, chapter 1221, section 1, subsection 1, paragraph
1 16 "a", for the fiscal year July 1, 2004, through June 30, 2005,
1 17 and to continue the resource-based relative value system of
1 18 reimbursement under the medical assistance program:
1 19 \$ 8,095,718
1 20 b. To maintain the reimbursement rate at the usual and
1 21 customary rate as established in 2000 Iowa Acts, chapter 1221,
1 22 section 1, subsection 1, paragraph "b", for the fiscal year
1 23 July 1, 2004, through June 30, 2005, for dental services under
1 24 the medical assistance program:
1 25 \$ 3,814,973
1 26 c. To maintain the reimbursement rate as established in
1 27 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
1 28 paragraph "e", for the fiscal year July 1, 2004, through June
1 29 30, 2005, for hospitals under the medical assistance program:
1 30 \$ 3,035,278
1 31 d. To maintain the reimbursement rate as established in
1 32 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
1 33 paragraph "f", for the fiscal year July 1, 2004, through June
1 34 30, 2005, for home health care services under the medical
1 35 assistance program:
2 1 \$ 2,108,279
2 2 e. To maintain the reimbursement rate as established in
2 3 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
2 4 paragraph "g", for the fiscal year July 1, 2004, through June
2 5 30, 2005, for critical access hospitals under the medical
2 6 assistance program:
2 7 \$ 250,000
2 8 f. To maintain the expansion of home health care services
2 9 and habilitative day care as established in 2000 Iowa Acts,
2 10 chapter 1221, section 1, subsection 1, paragraph "h", under
2 11 the medical assistance program for children with special
2 12 needs:
2 13 \$ 1,975,496
2 14 g. To maintain the expansion of respite care services
2 15 provided through home and community-based waivers as
2 16 established in 2000 Iowa Acts, chapter 1221, section 1,
2 17 subsection 1, paragraph "i", under the medical assistance
2 18 program:
2 19 \$ 1,137,309
2 20 h. To maintain the cost-of-living adjustment as
2 21 established in 2000 Iowa Acts, chapter 1221, section 1,

2 22 subsection 1, paragraph "c", for the fiscal year July 1, 2004,
 2 23 through June 30, 2005, for rehabilitative treatment and
 2 24 support services providers under child and family services:
 2 25 \$ 3,243,026
 2 26 i. To maintain the cost-of-living adjustment as
 2 27 established in 2000 Iowa Acts, chapter 1221, section 1,
 2 28 subsection 1, paragraph "d", for the fiscal year July 1, 2004,
 2 29 through June 30, 2005, for adoption, independent living,
 2 30 shelter care, and home studies services providers:
 2 31 \$ 468,967
 2 32 j. To maintain the reimbursement rate as established in
 2 33 2000 Iowa Acts, chapter 1221, section 1, subsection 1,
 2 34 paragraph "j", for the fiscal year July 1, 2004, through June
 2 35 30, 2005, to service providers under the purview of the
 3 1 department of human services:
 3 2 \$ 545,630
 3 3 2. To the department of human services to continue the
 3 4 supplementation of the children's health insurance program
 3 5 appropriation:
 3 6 \$ 200,000
 3 7 3. To the department of human services to provide coverage
 3 8 under the medical assistance program to women who require
 3 9 treatment for breast or cervical cancer as provided in section
 3 10 249A.3, subsection 2, paragraph "b":
 3 11 \$ 250,000
 3 12 4. To the department of human services to continue the
 3 13 supplementation of the medical assistance appropriation:
 3 14 \$ 14,346,750
 3 15 Of the amount appropriated in this subsection, \$50,000
 3 16 shall be used to continue the efforts of the Iowa chronic care
 3 17 consortium pursuant to 2003 Iowa Acts, chapter 112, section
 3 18 12, as amended by 2003 Iowa Acts, chapter 179, sections 166
 3 19 and 167.
 3 20 5. To the Iowa department of public health:
 3 21 a. For the tobacco use prevention and control initiative,
 3 22 including efforts at the state and local levels, as provided
 3 23 in chapter 142A and for not more than the following full-time
 3 24 equivalent positions:
 3 25 \$ 5,011,565
 3 26 FTEs 7.00
 3 27 (1) The director of public health shall dedicate
 3 28 sufficient resources to promote and ensure retailer compliance
 3 29 with tobacco laws and ordinances relating to persons under 18
 3 30 years of age, and shall prioritize the state's compliance in
 3 31 the allocation of available funds to comply with 42 U.S.C. }
 3 32 300x=26 and section 453A.2.
 3 33 (2) Of the full-time equivalent positions funded under
 3 34 this section, two full-time equivalent positions shall be
 3 35 utilized to provide for enforcement of tobacco laws,
 4 1 regulations, and ordinances under a chapter 28D agreement
 4 2 entered into between the Iowa department of public health and
 4 3 the alcoholic beverages division of the department of
 4 4 commerce.
 4 5 (3) Of the funds appropriated in this paragraph "a", not
 4 6 more than \$525,759 shall be expended on administration and
 4 7 management of the program.
 4 8 (4) Of the funds appropriated in this paragraph "a", not
 4 9 less than 80 percent of the amount expended in the fiscal year
 4 10 beginning July 1, 2001, for community partnerships shall be
 4 11 expended in the fiscal year beginning July 1, 2004, for that
 4 12 purpose.
 4 13 b. For a grant to a program that utilizes high school
 4 14 mentors to teach life skills, violence prevention, and
 4 15 character education in an effort to reduce the illegal use of
 4 16 alcohol, tobacco, and other substances:
 4 17 \$ 400,000
 4 18 c. For provision of smoking cessation and smoking-related
 4 19 diseases products as provided in this paragraph:
 4 20 \$ 75,000
 4 21 The department shall award grants to free health clinics
 4 22 that are tax-exempt organizations pursuant to 26 U.S.C. } 501
 4 23 (c)(3) to fund the provision of smoking cessation and smoking=
 4 24 related diseases products to patients. The department shall
 4 25 adopt a methodology for the awarding of the grants to the
 4 26 health clinics based upon the order of receipt of
 4 27 applications.
 4 28 d. For additional substance abuse treatment under the
 4 29 substance abuse treatment program:
 4 30 \$ 11,800,000
 4 31 (1) The department shall use funds appropriated in this
 4 32 paragraph "d" to enhance the quality of and to expand the

4 33 capacity to provide 24-hour substance abuse treatment
4 34 programs.

4 35 (2) The department shall use funds appropriated in this
5 1 paragraph "d" to expand the length of individual client
5 2 substance abuse treatment plans, as necessary to reduce
5 3 program recidivism.

5 4 (3) The department shall use funds appropriated in this
5 5 paragraph "d" to share research-based best practices for
5 6 treatment with substance abuse treatment facilities.

5 7 (4) The department shall use funds appropriated in this
5 8 paragraph "d" to develop a results-based funding approach for
5 9 substance abuse treatment services.

5 10 (5) The department shall use funds appropriated in this
5 11 paragraph "d" to develop a program to encourage individuals
5 12 who are successfully managing their substance abuse problems
5 13 to serve as role models.

5 14 (6) The department shall submit a report annually by March
5 15 1, to the governor and the general assembly delineating the
5 16 success rates of the substance abuse treatment programs that
5 17 receive funding under this paragraph "d".

5 18 e. For the healthy Iowans 2010 plan within the Iowa
5 19 department of public health and for not more than the
5 20 following full-time equivalent positions:

5 21 \$ 2,346,960
5 22 FTEs 4.00

5 23 (1) Of the funds appropriated in this paragraph "e", not
5 24 more than \$1,157,482 shall be used for core public health
5 25 functions, including home health care and public health
5 26 nursing services, contracted through a formula by local boards
5 27 of health, to enhance disease and injury prevention services.

5 28 (2) Of the funds appropriated in this paragraph "e", not
5 29 more than \$387,320 shall be used for the continuation and
5 30 support of a coordinated system of delivery of trauma and
5 31 emergency medical services.

5 32 (3) Of the funds appropriated in this paragraph "e", not
5 33 more than \$437,000 shall be used for the state poison control
5 34 center.

5 35 (4) Of the funds appropriated in this paragraph "e", not
6 1 more than \$288,770 shall be used for the development of
6 2 scientific and medical expertise in environmental
6 3 epidemiology.

6 4 (5) Of the funds appropriated in this paragraph "e", not
6 5 more than \$76,388 shall be used for the childhood lead
6 6 poisoning prevention program.

6 7 f. For the automated external defibrillator grant program
6 8 established by 2004 Iowa Acts, House File 2464, if enacted:
6 9 \$ 250,000

6 10 6. To the department of corrections:
6 11 \$ 980,000

6 12 a. Of the funds appropriated in this subsection, \$127,217
6 13 is allocated to the second judicial district department of
6 14 correctional services to replace expired federal funding for
6 15 day programming.

6 16 b. Of the funds appropriated in this subsection, \$35,359
6 17 is allocated to the third judicial district department of
6 18 correctional services to replace expired federal funding for
6 19 the drug court program.

6 20 c. Of the funds appropriated in this subsection, \$191,731
6 21 is allocated to the fourth judicial district department of
6 22 correctional services for a drug court program.

6 23 d. Of the funds appropriated in this subsection, \$255,693
6 24 is allocated to the fifth judicial district department of
6 25 correctional services to replace expired funding for the drug
6 26 court program.

6 27 e. Of the funds appropriated in this subsection, \$370,000
6 28 is allocated to the Newton correctional facility for a value=
6 29 based treatment program. A portion of the funds allocated in
6 30 this paragraph may be used to operate a similar value-based
6 31 treatment program at the Iowa correctional institution for
6 32 women at Mitchellville.

6 33 7. To the department for the blind:
6 34 \$ 130,000

6 35 To plan, establish, administer, and promote a statewide
7 1 program to provide audio news and information services to
7 2 blind or visually impaired persons residing in this state.

7 3 Sec. 2. PURCHASE OF SERVICE CONTRACT PROVIDERS ==
7 4 REIMBURSEMENT INCREASE. There is appropriated from the
7 5 healthy Iowans tobacco trust created in section 12.65 to the
7 6 property tax relief fund created in section 426B.1 for the
7 7 fiscal year beginning July 1, 2004, and ending June 30, 2005,
7 8 the following amount, or so much thereof as is necessary, to

7 9 be used for the purposes designated:

7 10 For assistance to the counties with limited county mental
7 11 health, mental retardation, and developmental disabilities
7 12 services fund balances which were selected in accordance with
7 13 2000 Iowa Acts, chapter 1221, section 3, to receive such
7 14 assistance in the same amount provided during the fiscal year
7 15 beginning July 1, 2000, and ending June 30, 2001, to pay
7 16 reimbursement increases in accordance with 2000 Iowa Acts,
7 17 chapter 1221, section 3:

7 18 \$ 146,750

7 19 Sec. 3. IOWA EMPOWERMENT FUND. There is appropriated from
7 20 the healthy Iowans tobacco trust created in section 12.65, to
7 21 the Iowa empowerment fund created in section 28.9 for the
7 22 fiscal year beginning July 1, 2004, and ending June 30, 2005,
7 23 for deposit in the school ready children grants account and
7 24 for distribution as provided in this section:

7 25 \$ 2,153,250

7 26 Sec. 4. DEPARTMENT OF CORRECTIONS == SPECIAL NEEDS UNIT.
7 27 There is appropriated from the healthy Iowans tobacco trust
7 28 created in section 12.65, to the department of corrections for
7 29 the fiscal year beginning July 1, 2004, and ending June 30,
7 30 2005, the following amount, or so much thereof as is
7 31 necessary, to be used for the purpose designated:

7 32 For operating the special needs unit at the Fort Madison
7 33 correctional facility and for not more than the following
7 34 full-time equivalent positions:

7 35 \$ 1,187,285

8 1 FTEs 17.87

8 2 Sec. 5. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT == TRANSFER.

8 3 In addition to the amount transferred pursuant to section
8 4 12E.12, subsection 1, paragraph "b", subparagraph (2),
8 5 subparagraph subdivision (b), \$6,500,000 is transferred from
8 6 the endowment for Iowa's health account of the tobacco
8 7 settlement trust fund created in section 12E.12 to the healthy
8 8 Iowans tobacco trust created in section 12.65 for the fiscal
8 9 year beginning July 1, 2004, and ending June 30, 2005.

8 10 Sec. 6. 2003 Iowa Acts, chapter 183, section 1, subsection
8 11 5, paragraph b, is amended to read as follows:

8 12 b. For a grant to a program that utilizes high school
8 13 mentors to teach life skills, violence prevention, and
8 14 character education in an effort to reduce the illegal use of
8 15 alcohol, tobacco, and other substances:

8 16 \$ 400,000

8 17 Notwithstanding section 8.33, moneys appropriated under
8 18 this paragraph that remain unencumbered or unobligated at the
8 19 close of the fiscal year shall not revert but shall remain
8 20 available for the purpose designated in the succeeding fiscal
8 21 year.

8 22 Sec. 7. EFFECTIVE DATE. The section of this Act amending
8 23 2003 Iowa Acts, chapter 183, being deemed of immediate
8 24 importance, takes effect upon enactment.

8 25 EXPLANATION

8 26 This bill relates to and makes appropriations from the
8 27 healthy Iowans tobacco trust.

8 28 The bill makes appropriations involving the medical
8 29 assistance (Medicaid) program to the department of human
8 30 services (DHS) for FY 2004=2005 for reimbursement of or cost=
8 31 of=living adjustments for, unless otherwise provided, all
8 32 noninstitutional providers for continuation of the resource=
8 33 based relative value system of reimbursement; dental services;
8 34 hospitals; home health care services; critical access
8 35 hospitals; the expansion of home health care services and
9 1 habilitative day care for children with special needs; the
9 2 expansion of respite care services provided through home and
9 3 community-based services waivers; rehabilitative treatment and
9 4 support services providers; adoption, independent living,
9 5 shelter care, and home studies services providers; and service
9 6 providers under the purview of DHS.

9 7 The bill also provides for supplementation of the
9 8 appropriation for the state children's health insurance
9 9 program known as hawk=i, for supplementation of the
9 10 appropriation for the Medicaid program, and for coverage under
9 11 the Medicaid program to certain women who require treatment
9 12 for breast and cervical cancer.

9 13 The bill appropriates funds to the Iowa department of
9 14 public health (IDPH) for the tobacco use prevention and
9 15 control program, for a program that utilizes high school
9 16 mentors in an effort to reduce the illegal use of substances,
9 17 for provision of smoking cessation and smoking-related
9 18 diseases products, and for additional substance abuse
9 19 treatment. The bill provides for the nonreversion of FY 2003=

9 20 2004 moneys appropriated for the provision that utilizes high
9 21 school mentors. This provision is effective upon enactment.
9 22 The bill appropriates funds to IDPH for development of a
9 23 healthy Iowans 2010 plan for core public health functions, for
9 24 implementation and support of a coordinated system of delivery
9 25 of trauma and emergency medical services, for the poison
9 26 control center, for development of scientific and medical
9 27 expertise in environmental epidemiology, and for the childhood
9 28 lead poisoning prevention program.
9 29 The bill appropriates \$250,000 to the IDPH for the
9 30 automatic external defibrillator grant program, if enacted.
9 31 The bill appropriates funds to the department of
9 32 corrections for day programming, the drug court program, and a
9 33 value-based treatment program at the Newton correctional
9 34 facility with the option of a portion of the value-based
9 35 treatment program funds being used for a similar program at
10 1 the Iowa correctional institution for women at Mitchellville.
10 2 The bill appropriates \$130,000 to the department for the blind
10 3 to plan, establish, administer, and promote a statewide
10 4 program to provide audio news and information services to
10 5 blind or visually impaired persons residing in this state.
10 6 The bill appropriates funds to the property tax relief fund
10 7 for FY 2004=2005, for assistance to counties with limited
10 8 county mental health, mental retardation, and developmental
10 9 disabilities (MH/MR/DD) services fund balances to continue
10 10 reimbursement increases to service providers in the same
10 11 amount as provided in FY 2000=2001.
10 12 The bill appropriates funds from the healthy Iowans tobacco
10 13 trust to the Iowa empowerment fund for FY 2004=2005 for
10 14 deposit in the school ready children grants account and to the
10 15 department of corrections for operation and staffing of the
10 16 special needs unit at the Fort Madison correctional facility.
10 17 The bill also transfers an additional \$6,500,000 from the
10 18 endowment for Iowa's health account of the tobacco settlement
10 19 trust fund created in Code section 12E.12 to the healthy
10 20 Iowans tobacco trust created in Code section 12.65 for fiscal
10 21 year 2004=2005.
10 22 LSB 7051YC 80
10 23 pf/pj/5.2